

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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GREGORY HEARN, SR. and DANA	:	CIVIL ACTION
HEARN, husband and wife in	:	
their own right, and as	:	NO. 02-CV-3525
parents and natural guardians	:	
of KYHNA HEARN and GREGORY	:	
HEARN, JR., their children,	:	
	:	
Plaintiffs,	:	HONORABLE JAY C. WALDMAN
	:	
vs.	:	
	:	
PHILADELPHIA POLICE OFFICER	:	
BRIAN FUSS and PHILADELPHIA	:	
POLICE OFFICER JOHN FLYNN,	:	
	:	
Defendants.	:	

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VERDICT FORM

Plaintiffs hereby submit their proposed verdict form.

1. Do you find by a preponderance of the evidence that Defendant Brian Fuss violated the plaintiffs' constitutional rights, as I have explained them?

Yes

NO

INSTRUCTIONS

Proceed to question no. 2.

2. Do you find by a preponderance of the evidence that defendant John Flynn violated the plaintiffs' constitutional rights, as I have explained them?

Yes

No

INSTRUCTIONS

If you answered yes to either question 1 or question 2, proceed to question no. 3.

If you answered "no" to question 1 and question 2, sign the last page of this form and return to the courtroom.

3. What amount of damages do you award plaintiffs?

\$ \_\_\_\_\_

INSTRUCTIONS

Proceed to question 4.

4. Do you find by a preponderance of the evidence that defendants Fuss and Flynn's conduct caused Dana Hearn to suffer a diminishing of the consortium, services and companionship of her husband, Gregory Hearn, Sr.?

\_\_\_\_ Yes                          \_\_\_\_ No

5. If you answered "yes" to question no. 4, what damages do you award Dana Hearn for the diminution of her husband's consortium, services and companionship?

\$ \_\_\_\_\_

INSTRUCTIONS

Proceed to question no. 6.

6. Do you find by a preponderance of the evidence that the conduct of defendants Fuss caused Dana Hearn, Gregory Hearn, Jr. and Kyhna Hearn to suffer emotional distress?

       Yes

       No

INSTRUCTIONS

If you have answered "yes" to question no. 6, proceed to question no. 7. Otherwise, proceed to questions 8.

7. What amount of damages do you award Dana Hearn, Gregory Hearn, Jr. and Kyhna Hearn?

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INSTRUCTIONS

Proceed to question no. 8.

8. Do you find by a preponderance of the evidence that defendant Brian Fuss should be assessed punitive damages under the law as I explained it to you?

       Yes

       No

INSTRUCTIONS

If you answered "yes" to question no. 8, proceed to question no. 9. Otherwise, proceed to questions no. 10.

9. What amount of punitive damages do you assess against defendants Fuss?

\$ \_\_\_\_\_

INSTRUCTIONS

Proceed to question no. 10.

10. Do you find by a preponderance of the evidence that defendant John Flynn should be assessed punitive damages under the law as I explained it to you?

\_\_\_\_\_ Yes                          \_\_\_\_\_ No

If you answered "yes" to question no. 10, proceed to question no. 11. Otherwise, the foreperson should sign and date this form, and return to the courtroom.

11. What amount of punitive damages do you assess against defendants Flynn?

\$ \_\_\_\_\_

INSTRUCTIONS

The foreperson should sign and date this form, and you should return to the courtroom.

Date: \_\_\_\_\_

Sign: \_\_\_\_\_  
Foreperson